

REMARKS

Claims 57-61 are active in this application.

The presently claimed invention is drawn to a method for suppressing bacterial growth in a blood fraction, comprising adding to a blood fraction a compound selected from the group consisting of L-carnitine, salts of L-carnitine, alkanoyl carnitines, salts of alkanoyl carnitines, and mixtures thereof, in an amount effective to suppress bacterial growth in said blood fraction,

wherein said blood fraction is a *prestorage-leuko-reduced* platelet concentrate, and wherein said method comprises suspending said *prestorage-leuko-reduced* platelet concentrate in a support solution which comprises said compound. (see Claim 57) Applicants submit that Sweeney et al can not affect the patentability of the claimed invention and reconsideration of the outstanding rejections is requested in view of the amendments and remarks herein.

The rejections of: (a) Claims 57-66 under 35 U.S.C. §102(a) over Sweeney et al and (b) Claims 57-66 under 35 U.S.C. §103(a) over Sweeney et al in combination with US 5,747,536 is obviated by amendment.

Claims 62-66 have been canceled. Applicants submit that this cancellation is merely for the sake of expedient examination of Claims 57-61 and in no way reflects acquiescence to the Examiner's rejection. Applicants reserve the right to present Claims 62-66 in a subsequent continuation application without prejudice.

With respect to Claims 57-61, Applicants submit that Sweeney et al do not disclose or

suggest the treatment of a prestorage-leuko-reduced platelet concentrate. On the contrary, Sweeney et al use standard non-leuko-reduced platelet concentrate (see page 31, line 13). Since the material used in the presently claimed invention differs from that disclosed in Sweeney et al, Sweeney et al can not anticipate the claimed invention. Accordingly, withdrawal of the anticipation rejection is requested.

Moreover, Applicants submit that the claimed invention would not be obvious in view of the disclosure of Sweeney et al in combination with US 5,747,536.

To this end, it should be noted that there is no disclosure or suggestion in either Sweeney et al or US 5,747,536 that the method disclosed by Sweeney et al would work with leuko-reduced platelet concentrate. Thus, the combination of Sweeney et al and US 5,747,536 would fail to provide sufficient motivation for the artisan to perform the method as claimed, much less have an expectation of success.

Further, US 5,747,536 discloses the equivalence of the various acyl carnitines, but in a completely different context. The use of said compounds in the treatment of cardiovascular, disorders, peripheral vascular diseases and peripheral diabetic neuropathy cannot be taken into consideration by the person of ordinary skill in the art of *platelet storage*. This skilled artisan would be totally unaware of method of treatment of cardiovascular, disorders, peripheral vascular diseases and peripheral diabetic neuropathy and would not address his attention there to try to find a possible suggestion with respect to platelet storage. Thus, US 5,747,536 fails to offer anything further to the disclosure of Sweeney et al.

In view of the foregoing, Applicants submit that the presently claimed invention would not be obvious in view of the combination of Sweeney et al and US 5,747,536.

Accordingly, withdrawal of these grounds of rejection is requested.

Applicants submit that the present application is now in condition for allowance.

Early notification of such action is earnestly solicited.

Respectfully submitted,

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